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10
11 UNITED STATES DISTRICT COURT
12 FOR THE EASTERN DISTRICT OF WASHINGTON

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 JOSE MARIA LOPEZ ORDUNO,

17 Defendant.

18 Case No.: 4:19-mj-07168-MKD

19 Motion for Detention

20 The United States moves for pretrial detention of Defendant, pursuant to 18
21 U.S.C. § 3142(e) and (f).

22 1. Eligibility of Case. This case is eligible for a detention order because
23 the case involves (check one or more):

24 Crime of violence (as defined in 18 U.S.C. § 3156(a)(4) which
25 includes any felony under Chapter 77, 109A, 110 and 117);
26 Maximum penalty of life imprisonment or death;
27 Drug offense with maximum penalty of 10 years or more;

1 Felony, with two prior convictions in above categories;

2 Felony that involves a minor victim or that involves the possession or

3

4 use of a firearm or destructive device as those terms are defined in 18 U.S.C.

5 § 921, or any other dangerous weapon, or involves a failure to register under 18

6 U.S.C. § 2250;

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8 Serious risk Defendant will flee; or

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10 Serious risk obstruction of justice.

11 2. Reason for Detention. The Court should detain Defendant because

12 there is no condition or combination of conditions which will reasonably assure

13 (check one or both):

14 Defendant's appearance as required; or

15

16 Safety of any other person and the community.

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18 3. Rebuttable Presumption. The United States will invoke the rebuttable

19 presumption against Defendant under 18 U.S.C. § 3142(e). The presumption

20 applies because there is probable cause to believe Defendant committed:

21 Drug offense with maximum penalty of 10 years or more;

22

23 An offense under 18 U.S.C. §§ 924(c), 956(a), or 2332b;

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25 An offense under 18 U.S.C. §§ 2332b (g)(5)(B) for which a maximum

26 term of imprisonment of 10 years or more is prescribed;

An offense under chapter 77 of Title 18, United States Code, for

which a maximum term of imprisonment of 20 years or more is prescribed;

An offense involving a minor victim under 18 U.S.C. §§ 1201, 1591,

2241, 2242, 2244(a)(1), 2245, 2251, 2251A, 2252(a)(1), 2252(a)(2), 2252(a)(3),

2252A(a)(1), 2252A(a)(2), 2252A(a)(3), 2252A(a)(4), 2260, 2421, 2422, 2423, or

2425;

Other Circumstance as defined in 18 U.S.C. § 3142(e)(2).

4. Time for Detention Hearing. The United States requests the Court

conduct the detention hearing:

At the first appearance, or

☒ After a continuance of three days.

5. Other Matters.

Dated: December 20, 2019.

William D. Hyslop
United States Attorney

s/ Stephanie Van Marter
Stephanie Van Marter
Assistant United States Attorney